

CLOSED

**U.S. District Court [LIVE]
Western District of Texas (San Antonio)
CRIMINAL DOCKET FOR CASE #: 5:21-mj-00370-ESC All Defendants**

Case title: USA v. Quezada–Rivero

Date Filed: 03/31/2021

Date Terminated: 04/07/2021

Assigned to: Judge Elizabeth S.
Chestney

Defendant (1)

Yosleiky Quezada–Rivero
TERMINATED: 04/07/2021

represented by **Duty Pub. Defender–San Antonio**
Federal Public Defender
San Antonio Division
727 E. Cesar E. Chavez Blvd.
Suite B207
San Antonio, TX 78206
(210) 472–6700
Fax: 210/472–4454
Email: janie_craig@fd.org
TERMINATED: 04/05/2021
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Alfredo R. Villarreal
Federal Public Defender
727 E. Cesar E. Chavez Blvd.
Room B–207
San Antonio, TX 78206–1205
(210) 472–6700
Fax: (210) 472–4454
Email: alfredo_villarreal@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition**Highest Offense Level
(Terminated)**

None

Complaints8:1324.F – Bringing in and
Harboring Aliens**Disposition****Plaintiff**

USA

represented by **Matthew Lathrop**
 United States Attorney's Office
 601 NW Loop 410, Suite 600
 San Antonio, TX 78216
 (210) 384-7128
 Fax: (210) 384-7118
 Email: matthew.lathrop@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Page	Docket Text
03/31/2021	<u>1</u>		Arrest (Rule 5/Rule 32.1) of Yosleiky Quezada–Rivero (aej) (Entered: 04/05/2021)
03/31/2021	<u>2</u>	4	Minute Entry for proceedings held before Judge Elizabeth S. Chestney:Initial Appearance in Rule 5(c)(3)/ Rule 32.1 Proceedings as to Yosleiky Quezada–Rivero held on 3/31/2021 (Minute entry documents are not available electronically.) (Court Reporter FTR Gold.) (aej) (Entered: 04/05/2021)
03/31/2021	<u>3</u>		MOTION to Continue, MOTION to Detain Defendant without Bond by USA as to Yosleiky Quezada–Rivero. (aej) (Entered: 04/05/2021)
03/31/2021	<u>4</u>	6	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Yosleiky Quezada–Rivero Duty Pub. Defender–San Antonio for Yosleiky Quezada–Rivero appointed. Signed by Judge Elizabeth S. Chestney. (aej) (Entered: 04/05/2021)
03/31/2021	<u>5</u>		ORDER as to Yosleiky Quezada–Rivero, (Detention and Identity Hearing set for 4/8/2021 10:00 AM before Judge Henry J. Bemporad). Signed by Judge Elizabeth S. Chestney. (aej) (Entered: 04/05/2021)
04/05/2021	<u>6</u>		NOTICE OF ATTORNEY APPEARANCE: Alfredo R. Villarreal appearing for Yosleiky Quezada–Rivero . Attorney Alfredo R. Villarreal added to party Yosleiky Quezada–Rivero(pty:dft) (Villarreal, Alfredo) (Entered: 04/05/2021)
04/07/2021	<u>7</u>	7	Waiver of Identity Hearing by Yosleiky Quezada–Rivero (Villarreal, Alfredo) (Entered: 04/07/2021)

04/07/2021	<u>8</u>	8	COMMITMENT TO ANOTHER DISTRICT as to Yosleiky Quezada–Rivero. Defendant committed to District of SDTX – Laredo. Signed by Judge Henry J. Bemporad. (aej) (Entered: 04/08/2021)
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

United States of America

vs.

(1) Yosleiky Quezada-Rivero

§ Case Number: SA:21-M -00370(1)

§ Date: March 31, 2021

§ Time: 1:50-1:58 8 min

§ SWORN: ☒ X

§

PROCEEDING MEMO - INITIAL APPEARANCE

1. ☐ Complaint Filed March 31, 2021 ☐ Arrest Warrant Issued _____
☐ Indictment _____ (Date)
☐ Information _____
☐ Pet to Rvk Bond _____
☐ Prob Form 12 _____
☒ Arrested 3/30 ☐ Agency _____
Date

2. COURT PERSONNEL:

Magistrate Judge: ELIZABETH S. ("BETSY") CHESTNEY

Courtroom Deputy: Valeria Sandoval

Interpreter: yes

3. **APPEARANCES:** For the United States: MATTHEW LATHROP - Excused
For the Defendant:
Retained ☐ FPD ☐ CJA ☐

4. PROCEEDINGS:

- a. ☒ Defendant found competent.
b. ☒ Defendant informed of and received copy of charging document.
Violation: 8 USC 1324
c. ☒ Defendant informed of maximum penalty: 0 to 10 yrs imp; \$250,000 fine; 3 yrs SR; \$100 SA
d. ☒ Defendant informed of constitutional rights.
My constitutional rights have been explained to me.
Date _____ Signature _____
e. ☒ Defendant informed of right to Identity Hearing.
set for April 08, 2021 at 10:00 AM
OR
☐ No right to Preliminary Hearing.
Arraignment set for _____

4. PROCEEDINGS: (Continued)

- f. ☒ Defendant informed of right to legal counsel.
1) Defendant waives counsel, OR
2) Defendant will try to secure counsel and inform court by _____
as to name, address of counsel retained, OR

X 3) Defendant requests appointment of counsel.

Defendant has completed financial affidavit. ORALLY

 X a) Court finds Defendant is financially eligible and orders counsel appointed.

OR Court appoints: FPD

 b) Court finds Defendant is financially ineligible and denies request.

Defendant to advise Court by _____ as to name, address of counsel retained.

g. ☒ **PRETRIAL RELEASE:**

☒ 1) Government moved for detention under §3142(f).

Detention Hearing set for: April 08, 2021 at 10:00 AM

☐ 2) Court SUA SPONTE "moves" for detention.

Detention Hearing set for: _____

☐ 3) Temporary detention ordered.

Bond Hearing set for: _____

☐ 4) Court orders Defendant be released on the following conditions:

 a) Personal recognizance.

 b) Defendant's bond set at \$ _____

which is unsecured.

which requires _____ % deposit.

which requires 100% cash/corporate/surety.

 c) Additional conditions of release as set forth in Order Setting Conditions of Release.

☐ 5) Detention ordered (i.e., Probation Violation).

h. ☐ Temporary commitment issued _____

Date

i. ☐ Preliminary Examination continued/reset to _____

Date

at _____

Time

j. ☐ Preliminary Examination held _____

Date

k. ☐ Probable Cause found _____

Date

OR

☐ No Probable Cause found _____

Date

l. ☐ Defendant held to District Court _____

Date

m. ☐ Defendant dismissed on Government's motion _____

Date

n. ☐ Final Commitment Issued _____

Date

o. ☐ Arraignment Set _____

Date

5. a. ☐ **OTHER PROCEEDINGS** _____

FILED

MAR 21 2021

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO, TEXAS

United States of America

vs.

(1) Yosleiky Quezada-Rivero
Defendant

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§
§
§
§


Cr No.: SA:21-M -00370(1)

ORDER APPOINTING COUNSEL

The above-named defendant having satisfied this court after appropriate inquiry that he/she (1) does not wish to waive representation by counsel, and (2) is financially unable to obtain counsel, the Federal Public Defender is hereby APPOINTED to represent the defendant in the above-styled and numbered cause.

Should this case proceed before a United States District Judge, the appointment shall, nevertheless, remain in effect until terminated or a substitute attorney is appointed or retained.

SIGNED on March 31, 2021.


ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE

****Spanish Language Interpreter Required**

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

United States of America

vs.

(1) Yosleiky Quezada-Rivero
Defendant

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§
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**WAIVER OF RULE 5 & 5.1 HEARINGS
(Excluding Probation Cases)**

Case Number: SA:21-M -00370(1)

REF: L-21-0103

I, (1) Yosleiky Quezada-Rivero understand that in the
Southern District of Texas-Laredo charges are pending
alleging violation of 8 USC 1324

and that I have been arrested in this district and taken before a United States Magistrate, who informed me of the charge and of my right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel; (2) an identity hearing to determine whether I am the person named in the charge(s); (3) a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; (4) request transfer of the proceedings to this district under Federal Rule of Criminal Procedure 20, in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

() Identity Hearing.

() Preliminary Examination.

(XX) Detention Examination.

XX) Identity Hearing and I have been informed I have no right to a preliminary examination.

() Identity Hearing but request a preliminary and/or detention examination be held in the prosecuting district and therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charge is pending against me.

April 7, 2021

Date

(1) Yosleiky Quezada-Rivero, Defendant

Alfredo R. Villarreal

Counsel for Defendant

FILED

APR 07 2021

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

USA
Plaintiff
vs.

(1) Yosleiky Quezada-Rivero
Defendant

§
§
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§

Case No: SA:21-M -00370(1)

Ref: 5:20-MJ-2514

ORDER OF REMOVAL

TO THE UNITED STATES MARSHAL FOR THE WESTERN DISTRICT OF TEXAS:

(1) Yosleiky Quezada-Rivero, charged in a proceeding pending in the

SDTX/Laredo Division

for 8:1324

Alien Smuggling

and having been arrested in the Western District of Texas, San Antonio Division;

YOU ARE HEREBY COMMANDED to remove (1) Yosleiky forthwith
Quezada-Rivero

to the SDTX/Laredo Division, and there deliver
him/her to the United States Marshal for that district or to some other officer authorized to
receive him/her.

ORDERED at SAN ANTONIO, Texas on April 07, 2021.



HENRY J. BEMPORAD
UNITED STATES MAGISTRATE JUDGE